

AGENDA
IRVINE RANCH WATER DISTRICT
WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE
TUESDAY, DECEMBER 4, 2018

CALL TO ORDER 3:30 p.m., Committee Room, Second Floor, District Office
15600 Sand Canyon Avenue, Irvine, California

ATTENDANCE Committee Chair: Mary Aileen Matheis _____
Member: Steve LaMar _____

<u>ALSO PRESENT</u>	Paul Cook	_____	Cheryl Clary	_____
	Beth Beeman	_____	Paul Weghorst	_____
	Mark Tettemer	_____	Christine Compton	_____
	Fiona Sanchez	_____	Amy McNulty	_____
	Wendy Chambers	_____	Kellie Welch	_____
	Ray Bennett	_____	Jo Ann Corey	_____
	Paige Midstokke	_____		_____
		_____		_____

NOTICE

If you wish to address the Committee on any item, please file your name with the Committee. Forms are provided on the table outside of the Committee Room. Remarks are limited to three minutes per speaker on each subject.

COMMUNICATIONS

1. Notes: Weghorst
2. Public Comments
3. Determine the need to discuss and/or take action on item(s) introduced that came to the attention of the District subsequent to the agenda being posted.
4. Determine which items may be approved without discussion.

ACTION

5. REVIEW OF 2018 LEGISLATIVE ACTIVITIES AND 2019 LEGISLATIVE PLANNING – COMPTON / COOK

Recommendation: That the Board provide input on the proposed 2019 regional, state and federal legislative issues of interest to IRWD, and adopt the proposed “Initial 2019 Legislative and Regulatory Resources Allocation Plan” and the “Legislative/Regulatory Issues and Activities of High Concern to the IRWD in 2019.”

ACTION - Continued

6. REQUEST FROM YORBA LINDA WATER DISTRICT FOR SPECIAL DISTRICTS TO CALL FOR AN ORANGE COUNTY SPECIAL DISTRICTS SELECTION COMMITTEE MEETING TO CONSIDER A CHANGE IN THE OC LAFCO FUNDING FORMULA – COMPTON / COOK

Recommendation: That the Committee take no action on Yorba Linda Water District's request at this time, but authorize staff to continue to monitor and engage, when appropriate, in discussions regarding an update to the OC LAFOC special districts funding formula.

7. ADOPTION OF THE 2018 SOUTH ORANGE COUNTY INTEGRATED REGIONAL WATER MANAGEMENT PLAN – TETTEMER / WEGHORST

Recommendation: That the Board adopt a resolution adopting the 2018 South Orange County Integrated Regional Water Management Plan.


OTHER BUSINESS

8. Directors' Comments

9. Adjourn

Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the above-named Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Committee less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Committee Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance of the meeting room at the District Office.

The Irvine Ranch Water District Committee Room is wheelchair accessible. If you require any special disability-related accommodations (e.g., access to an amplified sound system, etc.), please contact the District Secretary at (949) 453-5300 during business hours at least seventy-two (72) hours prior to the scheduled meeting. This agenda can be obtained in an alternative format upon written request to the District Secretary at least seventy-two (72) hours prior to the scheduled meeting.

December 4, 2018
Prepared and
submitted by: C. Compton
Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

REVIEW OF 2018 LEGISLATIVE ACTIVITIES AND 2019 LEGISLATIVE PLANNING

SUMMARY:

This report provides a review of IRWD's 2018 legislative priorities and government relations activities, and an overview of expected 2019 legislative and regulatory issues in Washington, D.C., Sacramento, and regionally. Also described are proposals that the District's associations and stakeholders are considering for sponsorship. The report proposes an initial 2019 staff resource allocation plan for legislative and regulatory issues of importance to IRWD in the coming year. Staff recommends that the Board provide input on the proposed 2019 regional, state and federal legislative issues of interest to IRWD, and adopt the proposed Initial 2019 Legislative and Regulatory Resource Allocation Plan and the Legislative / Regulatory Issues and Activities of High Concern to IRWD in 2019.

BACKGROUND:

2018 IRWD Priorities and Activities:

In November 2017, the Board reviewed an overview of expected 2018 legislative issues in Washington, D.C. and Sacramento, including proposals that the District's statewide associations were considering for introduction. At that time, the Board adopted the Initial 2018 Legislative and Regulatory Resource Allocation Plan and the Legislative / Regulatory Issues and Activities of High Concern to IRWD in 2018, which guided the District's governmental relations activities this past year.

The 2018 priorities authorized staff to engage in policy discussions, to engage in the discussion on the enactment and implementation of the "Making Water Conservation a California Way of Life" legislation, and to oppose any statewide tax on water inconsistent with the Board's adopted policy on a statewide public goods charge. Additionally, the priorities prioritized protection of IRWD's revenues and the District's ability to use its water budget-based tiered rate, and engagement on State Water Resources Control Board and Department of Water Resources regulations. Over the past year, staff and IRWD's state legislative and regulatory advocates have worked on each of these issues and other state issues of importance to the District including legislation related to the discontinuation of water service, and a variety of other issues.

At the federal level, staff and IRWD's federal legislative advocate engaged on the Bureau of Reclamation's Title XVI Water Reclamation and Reuse Program, promoted federal funding of the Syphon Reservoir Recycled Water Storage Project, and sought tax parity for water rebates. Additionally, staff and IRWD's federal legislative advocate engaged on conceptual Santa Ana Mountains to Sea National Monument legislation, although the legislation was ultimately not introduced again.

At the local level, IRWD continued to work to build stronger relationships with its partner agencies and community stakeholders.

Expected 2019 Federal Legislative Issues:

It is expected that in 2019 Congress will work on a number of issues of interest to the water and wastewater communities. Staff will discuss the expected 2019 political environment and federal issues with the Water Resources Policy and Communications Committee. More information is also provided below on several key issues of interest to the District.

Reauthorization of Title XVI:

The Bureau of Reclamation's Title XVI Water Reclamation and Reuse Program identifies and investigates opportunities to reclaim and reuse wastewater and naturally impaired ground and surface water in the 17 Western States and Hawaii. Title XVI allows the Bureau of Reclamation to provide local project proponents in the named states funding for the planning, design, and construction of water recycling and reuse projects. Prior to the program's reauthorization in the Water Infrastructure for Improvements for the Nation Act (WIIN), only projects that had been authorized by Congress were eligible for funding and as a result of the earmark ban, new projects were not being authorized. Given the significant role Title XVI has played in the development of water recycling and reuse projects, IRWD supported the establishment of a new authorization process for qualified water supply projects through the existing Title XVI program. This new process was included in the reauthorization in the WIIN Act.

While the program was reauthorized in WIIN, it will need to be reauthorized again before 2020. Additionally, demand for funding from the program greatly exceeds the funds appropriated to it. This next year, unless the program is reauthorized in the lame duck session, the District along with a coalition of other water agencies will work to reauthorize the Title XVI program.

Funding for the Kern Fan Project and Reauthorization of the Water Storage Program:

Also included in WIIN was authorization for the Water Storage Program at the Bureau of Reclamation. The Water Storage Program is currently the best federal opportunity for the District to obtain federal funding for the Kern Fan Project. Like the Title XVI program, however, the Water Storage Program will need to be reauthorized before 2020. This next year, unless the program is reauthorized in the lame duck session, the District will seek the reauthorization of the program and will seek federal funding for the Kern Fan Project.

Expected 2019 Statewide Legislative Issues:

As in each of the past six years, it is expected that the California Legislature will take up a number of issues of interest to the water and wastewater communities in 2019. Staff will discuss the expected 2019 political environment and state issues with the Water Resources Policy and Communications Committee. More detailed information is also provided below on several expected issues of significant importance to the District.

“Making Water Conservation a California Way of Life”:

In response to the five-year statewide drought, Governor Brown issued Executive Order B-29-15 on April 1, 2015, mandating a 25 percent reduction in statewide potable water use between June 2015 and February 2016. On May 5, 2015, the State Board adopted an Emergency Regulation to implement the provisions of the Executive Order. On May 9, 2016, Governor Brown issued Executive Order B-37-16, which required the state to transition from the temporary restrictions implemented during the drought to a statewide long-term conservation framework that aligns with the objective of the California Water Action Plan to “Make Water Conservation a California Way of Life.”

Last year, in response to the Governor’s call to “Make Water Conservation a California Way of Life,” the legislature passed AB 1668 (Friedman, D-Glendale) and SB 606 (Hertzberg, D-Van Nuys). As enacted, the bills:

- Give the State Board one-time authority to set certain water use efficiency standards and implement water use objectives/targets;
- Authorize the State Board to establish guidelines and methodologies to identify how urban water use objectives/targets are to be calculated and reported;
- Require that urban retail water suppliers annually calculate an urban water use objective and report on accomplishments;
- Establish indoor water use efficiency standards through statute at 55 gallons per person daily (GPCD) until 2025, establish the indoor standard at 52.5 GPCD until 2030 and at 50 GPCD after 2030;
- Authorize the State Board to establish outdoor water use efficiency standards for residential landscapes and commercial, industrial and institutional (CII) irrigation based on the principles of the Model Water Efficient Landscape Ordinance;
- Authorize the State Board to establish performance measures for CII water use. Process water was excluded from the performance measures;
- Grant permissive, not mandatory, authority to the State Board to establish variances to the efficiency standards;
- Provide up to a 15 percent bonus for potable reuse supplies;
- Grant the State Board with new enforcement powers; and
- Modify the Urban Water Management Planning Act to require urban water suppliers to develop enhanced Urban Water Management Plans, enhanced Water Shortage Contingency Plans, Drought Risk Assessments, and an annual Water Supply and Demand Assessment.

One issue that was not addressed in the legislation was the recognition of emergency supplies.

In 2019, the State Board and the Department of Water Resources’ efforts to implement these two bills will be substantial. As IRWD was active in the policy discussions surrounding the drafting of AB 1668 and SB 606, the District will be active in the implementation of the two bills with

the goal of ensuring successful statewide implementation of the legislation. As part of the many issues that need to be addressed in the implementation process, IRWD will continue to seek recognition for emergency supplies.

Additionally, in 2019, the State Board will likely consider adopting several different regulations related to prohibited water uses, reporting requirements for water agencies, and other regulations related to the implementation of any water conservation legislation passed by the Legislature. IRWD will continue to engage productively on water conservation in California and any related regulations before the State Board.

Water Tax and Safe and Affordable Drinking Water Funding Proposals:

At the end of the 2018 session, Assembly Speaker Anthony Rendon (D-Lakewood) announced that the bills related to a water tax and other funding alternatives for Safe and Affordable Drinking Water would not move forward this year. Given his statement and the political pressure for the Legislature to act on safe and affordable drinking water, the topics of a water tax or an alternative to a water tax will be a topic of much discussion in 2019.

As during the 2018 session, staff will continue to work with the District's associations and industry partners on the funding of safe and affordable drinking water, and continue to work to identify acceptable solutions. The Association of California Water Agencies (ACWA) and the California Municipal Utilities Association (CMUA) have or are working to develop alternative concepts for funding for safe and affordable drinking water in California.

AB 401 Implementation – Study of Low Income Rate Assistance:

AB 401 (Dodd, 2015) requires the State Board to develop and provide the Legislature a plan for a statewide Low-Income Rate Assistance Program (LIRA) by February 1, 2018. As a result, the State Board held a series of public meetings in 2017 seeking input on various scenarios, which would provide low-income rate assistance to up to 34 percent of Californians, and over the past two years have met with a smaller group of stakeholders to discuss options for the plan. The State Board's effort is based on the following philosophy:

“Californians have a right to safe water. State policy through AB 685 (2012) aims to ensure universal access to water by declaring that “every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.” However, water is becoming more expensive. California's growing economy and population create continued demand for water. Meanwhile, drought and water leaks tighten available supplies. In addition, pipes and aging infrastructure result in expensive repairs or replacements. These conditions contribute to higher costs. The result is that more low-income households have unaffordable drinking water.”

State Board staff has indicated that it plans to release its plan for a statewide LIRA program this next year. The plan will add to the discussion taking place on funding safe and affordable drinking water for all Californians.

Recycled Water Use in Decorative Lakes and Storm-induced Overflow Restrictions:

As California continues to deal with drought facing increasing demands on its fresh water resources, regulatory challenges related to storm-induced overflow restrictions on recycled water impoundments continue to limit water suppliers' abilities to expand recycled water use. One such use is the use of recycled water in decorative lakes. While the use is permitted, storm-induced overflow restrictions limit the use of recycled water in these decorative bodies of water.

In order to avoid a discharge of recycled water during the wet weather season and to ensure compliance with State Board policies, some Regional Water Quality Control Boards require the drawdown of water levels stored in these impoundments to reduce the likelihood of a storm-induced overflow. These storm-induced overflow restrictions affect small recycled water impoundments (e.g., frost protection ponds, decorative lakes, golf course ponds) in addition to large recycled water storage facilities. In the case of very small impoundments, storm-induced overflow restrictions often limit use of the impoundment during winter months and discourage customers from using recycled water.

IRWD has had increased interest from homeowners associations that would like to use recycled water to refill their decorative lakes. The District has explained the regulatory challenges to these HOAs and IRWD's efforts to work with the State Board to find a solution to mitigate the impact of storm-induced overflow restrictions. Staff has continued conversations with the Regional Board on the use of recycled water in decorative lakes to replace evaporative water losses. Staff will continue to work towards a solution to this issue.

Expected 2019 Government Relations Activities and Staff Resource Allocations:

Staff will be available to discuss a proposed list of issues of high concern to IRWD for 2019, which is attached as Exhibit "A", and a proposed initial allocation plan for allocating 2019 staff resources to legislative and regulatory issues, which is attached as Exhibit "B". The allocation will provide guidance to staff for committing District and outside resources.

Expected 2019 Association Proposals:

IRWD's association and industry partners are in the process of completing their 2019 legislative planning. A summary of those planning efforts is provided below:

Association of California Water Agencies:

ACWA held its 2019 legislative planning meeting on October 26, 2019. The ACWA State Legislative Committee considered four proposals for sponsorship in 2019, and decided to sponsor two of the proposals. This next year, ACWA will be sponsoring legislation to establish a compliance period during which a water agency could bring itself into compliance with Maximum Contaminant Levels adopted by the State Board. Additionally, ACWA will be sponsoring legislation related to safe and affordable drinking water. As both of these proposals take shape and are future refined, staff will provide updates to the Committee and the Board.

Bioenergy Association of California:

IRWD joined the Bioenergy Association of California (BAC) in 2013. BAC's purpose is the promotion of sustainable bioenergy production with a focus on promoting community-scale bioenergy generation from a wide range of sustainably available organic waste sources, including dairy and agricultural waste, food and food processing waste, water treatment waste, other organic urban waste, and forest biomass. BAC's annual planning, development of its legislative priorities and possible legislative proposals will occur at its membership meeting on December 13. The meeting agenda has yet to be released. Staff will work through the California Association of Sanitation Agencies (CASA) to ensure that the wastewater sector has representation on the BAC Board of Directors and to encourage BAC to prioritize issues of interest to the wastewater section in 2019. Staff will provide an update on new developments.

California Municipal Utilities Association:

CMUA held its 2019 legislative and regulatory planning meeting on November 7. The CMUA Legislative Committee considered sponsorship of three proposals, and agreed to sponsor two of the proposals. In 2019, CMUA will sponsoring legislation related to safe and affordable drinking water, and will co-sponsor legislation related to the protection of utility customer data with the California Special Districts Association (CSDA). Currently these two proposals are in concept form only. As the proposals are more clearly defined, staff will provide the Committee and Board with updates, as appropriate.

California Association of Sanitation Agencies (CASA):

CASA has not met to discuss its 2019 legislative and regulatory efforts. The planning meeting will be held on December 14. As of the writing of this report, no specific proposals or topics have been released for consideration at the meeting. Staff will provide an update on any new developments.

California Special Districts Association:

CSDA held its 2019 legislative and regulatory planning meeting on November 2. CSDA considered sponsorship of a number of proposals, but agreed to sponsor three proposals. The first was sponsorship of a joint resolution recognizing CSDA's 50th anniversary. The second is the association's co-sponsorship of a bill related to the protection of utility customer data with the CMUA. The third proposal is legislation updating the video record storage requirements for local agencies. The language on all three of these proposals is still being developed and refined. As these proposals take shape, staff will provide updates to the Committee and the Board.

WateReuse California:

The WateReuse Association of California has not met to discuss its 2019 legislative and regulatory efforts; however, the association will likely seek legislation on potable reuse. Staff will provide the Committee and the Board with an oral update on any new developments.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board provide input on the proposed 2019 regional, state and federal legislative issues of interest to IRWD, and adopt the proposed “Initial 2019 Legislative and Regulatory Resources Allocation Plan” and the “Legislative/Regulatory Issues and Activities of High Concern to IRWD in 2019.”

LIST OF EXHIBITS:

Exhibit “A” – Legislative / Regulatory Issues and Activities of High Concern to IRWD in 2019
Exhibit “B” – Proposed Initial IRWD’s 2019 Legislative and Regulatory Resource Allocation Plan

EXHIBIT “A”

LEGISLATIVE/REGULATORY ISSUES AND ACTIVITIES OF HIGH CONCERN TO IRWD IN 2019

As a state and federal leader in water resources public policy and governance, the Irvine Ranch Water District (IRWD) has worked tirelessly to promote policy initiatives that allow the District, along with other water purveyors in California, to enhance the quality and reliability of water supplies throughout the state. While IRWD will engage in a number of legislative and regulatory issues of interest to the District, the following are issues and activities of high concern to the District in 2019.

2019 Federal Issues and Activities of High Concern:

- 1) Advocate for the reauthorization of Title XVI and an increased funding authorization for the Water Reclamation and Reuse Program.
- 2) Advocate for the reauthorization of the federal Water Storage Program and an increased funding authorization for the program.
- 3) Seek federal funding for the Kern Fan Groundwater Storage Project.
- 4) See federal funding for the Syphon Reservoir Improvement Project.
- 5) Support efforts to modify the definition of “Waters of the U.S.” to limit impacts to IRWD, including IRWD’s reservoirs, and obtain a “Waters of the U.S.” exemption for constructed treatment wetlands.

2019 State Issues and Activities of High Concern:

- 1) Oppose any statewide tax on water that is inconsistent with the Board’s adopted policy on a statewide public goods charge, and advocate for alternative solutions acceptable to the District which address safe and accessible drinking water in California.
- 2) Actively engage in the implementation of “Making Water Conservation a California Way of Life” legislation.
- 3) Seek statutory and/or regulatory language that recognizes the importance of emergency water supplies, permits pre-emergency designation of such supplies, and protects their use during droughts or other water shortages.
- 4) Engage in discussion surrounding water and sewer rates, and other proposed charges, in order to protect the District’s ability to design and use its water budget-based tiered rate structure, including discussions related to a statewide Low Income Rate Assistance (LIRA) program and Proposition 218 reform efforts.
- 5) Engage with the State Board and the Department of Water Resources on policy, regulatory and permits issues of concern to IRWD.

2019 Regional Issue and Activities of High Concern:

- 1) Engage with the Santa Ana Regional Quality Control Board and community stakeholders to discuss adjusting storm-induced overflow protections and expanding the use of recycled water in decorative lakes.

EXHIBIT “B”

DRAFT

IRWD’s Initial 2019 Legislative and Regulatory Resource Allocation Plan

PLEASE NOTE: The proposed initial resource allocations are aimed at balancing the importance of an issue to IRWD, the projected level of District resources available to work on the issue, and the likelihood that the issue will be raised and the District will be able to shape the policy, legislative and regulatory discussions or outcomes related to the issue in 2019. The allocation of District resources may change over the course of the legislative year, based on continued input from the Water Resources Policy and Communications Committee and the Board of Directors. The allocation categories are intended to reflect the following expected levels of resource use:

- Very High - IRWD’s resource allocation would be significant. Staff and IRWD’s legislative advocates would dedicate a larger portion of their overall advocacy efforts to the issues designated “Very High”, and would actively seek to be a key stakeholder shaping the policy, legislative or regulatory discussions related to those issues.
- High - IRWD’s resource allocation would be considerable. Staff and IRWD’s legislative advocates would work to create strategic opportunities to shape the policy, legislative or regulatory discussions and outcomes related to issues designated “High.”
- Moderate - IRWD’s resource allocation would be modest. Staff and IRWD’s advocates would actively engage in association and industry conversations on issues designated “Moderate”, but would expect to work largely through issue-specific coalitions on these issues. Staff and IRWD’s advocates would work to identify and capitalized on opportunities to shape narrow aspects of a policy, legislative or regulatory outcome related to such issues.
- Low - IRWD’s resource allocation would be low. Staff and IRWD’s advocates would track policy, legislative and regulatory discussions and outcomes related to issues designated “Low”, and would continue to seek positive outcomes for the District through IRWD’s association and industry partners. Staff and IRWD’s advocates would work on such issues should resources be available.

DRAFT Expected 2019 Legislative/Regulatory Issues	Proposed Allocation of IRWD Resources
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FEDERAL ISSUES	
Bureau of Reclamation's Title XVI, Water Reclamation and Reuse Program, Reauthorization – Advocate for the reauthorization of Title XVI and an increased funding authorization for the Water Reclamation and Reuse Program.	Very High
Kern Fan Groundwater Storage Project – Seek federal funding for the project by engaging with the Bureau of Reclamation and Congressional staff on the project.	Very High
Syphon Reservoir Improvement Project – Engage with the Bureau of Reclamation and Congressional staff on funding the project.	Very High
Clean Water Act Definition of “Waters of the U.S.” – Support efforts to modify the definition of “Waters of the U.S.” to limit impacts to IRWD, including IRWD’s reservoirs. Obtain a “Waters of the U.S.” exemption for the constructed treatment wetlands and IRWD facilities.	Very High
Water Storage Program Reauthorization – Advocate for the reauthorization of the federal Water Storage Program and an increased funding authorization for the program.	Very High
Advanced Refundings – Advocate for the tax-exempted status of local government advanced refundings to be restored.	Moderate
Atmospheric River Research – Advocate for federal programs and funding for atmospheric river research aimed at improving the U.S. Army Corps of Engineers’ and Bureau of Reclamation’s reservoir operations.	Moderate
California WaterFix Implementation – Advocate for a change in the operation of the Delta, consistent with the co-equal goals of ecosystem protection and water supply reliability; seek the federal actions necessary to implement a permanent solution in the Bay Delta.	Moderate
Reservoir Reoperation – Advocate for appropriate language requiring the U.S. Army Corps of Engineers and Bureau of Reclamation to consider reoperation of a reservoir when requested to do so by a water agency downstream of the reservoir, language allowing a water agency downstream of the reservoir to propose and fund improvements in reservoir operations, if it is in its interest.	Moderate
Tax Parity for Water Efficiency Rebates – Advocate for tax parity between water and energy efficiency rebates.	Moderate
Water Resource Development Act – Seek enactment of a WRDA bill in 2020, and every two years thereafter, which is beneficial to IRWD and Orange County, and which includes authorizations for the water infrastructure programs and funding supported by IRWD.	Moderate
Environmental Infrastructure Projects – Advocate for legislative clarification that water resources projects and water resources development projects be considered environmental infrastructure projects and eligible for consideration under the Water Resources Development Act. Advocate for a broad definition of water resources projects and water resources development projects which includes water supply, drinking water projects, surface water protection and development programs, and wastewater infrastructure projects that increase water supply reliability such as water recycling, desalination, and stormwater collection projects.	Low <i>*Staff proposes that the resource allocation be changed to Very High should there be congressional interest in addressing this issue in WRDA.</i>

DRAFT Expected 2019 Legislative/Regulatory Issues	Proposed Allocation of IRWD Resources
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Santa Ana Mountains to Sea National Monument – Advocate that language be included within any proposed Santa Ana Mountains to Sea National Monument authorization that protects water and wastewater utilities and infrastructure, and advocate for a monument boundary that limits potential impacts on IRWD operations.	Low <i>*Staff proposes, if the monument is proposed again, that the resource allocation be changed to Very High.</i>
Tax-Exempt Municipal Bonds – Maintain the current tax-exempt status of municipal bonds; oppose efforts to place a cap on tax-exempt municipal bonds as part of any federal tax reform measure. Oppose prohibitions on the use of tax-exempt bonds if a local government uses WIFI or any similar program.	Low <i>*Staff proposes, if a significant threat is raised again tax-exempt municipal bonds, that the resource allocation be changed to High.</i>
Total Maximum Daily Load Limits – Advocate that the Environmental Protection Agency use the best available science when setting Total Maximum Daily Load (TMDL) limitations related to Clean Water Act compliance and approve TMDLs for California based on relevant studies related to California’s environment and local conditions.	Low
Water Allocations from the Colorado River – Monitor discussions related to the Colorado River and advocate for policies that would fairly protect California’s and IRWD’s interests in the Colorado River.	Low <i>*Staff proposes, if a significant threat is raised against California’s water rights, that the resource allocation be changed to Moderate.</i>
Water Supply/Reliability Projects – Support federal investment in water supply and reliability projects including large surface storage.	Low
STATE ISSUES	
Conservation, Water Use Efficiency Regulations – Engage with the State Board and the Department of Water Resources on regulations implementing the “Making Water Conservation a California Way of Life” legislation enacted in 2018.	Very High
Emergency Supplies – Seek statutory language that recognizes the importance of emergency water supplies, permits pre-emergency designation of such supplies, and protects their use during droughts or other water shortages.	Very High
Groundwater – Engage productively in discussions groundwater management in California to protect IRWD’s interests. Promote greater water banking opportunities that would benefit the District.	Very High

DRAFT Expected 2019 Legislative/Regulatory Issues	Proposed Allocation of IRWD Resources
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Proposition 218 Reforms – Engage in discussions surrounding Prop. 218 reform efforts to protect IRWD’s interests. Communicate the District’s concern over any water rate legislation which is not consistent with the California Constitution, not voluntary in nature, or that does not provide sufficient clarity or flexibility to water agencies.	Very High
State Board –Engage with the State Board on policy, regulatory and permits issues of concern to IRWD including the Statewide Mercury Program, the Environmental Laboratory Accreditation Program, expansion of “Waters of the State” designations, Toxicity Provisions, regulations related to PFOAs/PFAs, creation of a credit trading program for IRWD’s Natural Treatment System, and other regulatory packages considered in 2019.	Very High
Water and Sewer Rates – Protect the District’s ability to design and use its water budget-based tiered rate structure, and advocate that any statewide Low Income Rate Assistance (LIRA) program recognize water budget-based tiered rate structures and the importance of price signals to achieving greater water use efficiency.	Very High
Water Loss Regulation – Engage with the State Board to ensure that the SB 555 water loss performance measure/standard regulations are appropriate, consider cost-benefit, and contemplate key other factors that affect potable water loss.	Very High
Water Tax – Oppose any statewide tax on water that is inconsistent with IRWD’s Water Infrastructure Financing Policy Paper and advocate for alternative solutions acceptable to the District which address safe and accessible drinking water in California.	Very High
Definition of “Waters of the State” – Seek a modification to the proposed definition of “Waters of the State” to limit impacts to IRWD, including impacts to the San Joaquin Marsh, Natural Treatment System and IRWD’s reservoirs. Obtain a “Waters of the State” exemption for the Natural Treatment System (NTS) and San Joaquin Marsh and constructed treatment wetlands. Advocate for a maximum benefit approach to regulation of constructed treatment wetlands and NTS facilities.	High
Disadvantaged Communities – Support efforts to identify and quantify the water quality and water management challenges facing disadvantaged communities (DACs) in California. Work to support the development and enactment of creative solutions, which seek to address the challenges facing DACs through a means other than a statewide water tax.	High
Unfunded Pension Liability – Oppose legislation or regulations that would increase IRWD’s pension liability either by making local agencies responsible for the pension liabilities of other entities (e.g. joint powers authorities) or by failing to recognize the liability reduction benefits of Section 115 Trust and other pre-funding efforts. Seek state support for refinements in the GASB rules that limit recognition of the benefits Section 115 Trust.	High
AQMD Authority Over Public Fleets – Oppose efforts to expand regulatory authority over public fleets, and legislative or regulatory proposals designed to accelerate the replacement of existing public fleet stock without consideration of cost and age and technology of the current stock.	Moderate
California WaterFix Implementation – Advocate for a change in the operation of the Delta, consistent with the co-equal goals of ecosystem protection and water supply reliability. Seek the State actions necessary to implement a solution in the Bay Delta and oppose efforts to make implementation of a solution more difficult.	Moderate

DRAFT Expected 2019 Legislative/Regulatory Issues	Proposed Allocation of IRWD Resources
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CARB Authority Over Mobile Sources – Oppose efforts to expand regulatory authority over mobile sources of concern to IRWD, and CARB-related legislative or regulatory proposals governing the public fleets of water and waste water providers that do not consider the constraints of certain technologies on the provisions of essential public services during or after an emergency.	Moderate
Climate Change Adaptation – Engage in policy discussions related to climate change adaptation within the water and wastewater sectors.	Moderate
Homelessness – Within the larger discussions on addressing homeless, ensure that the impacts of homeless on water and wastewater agencies is recognized, and that agencies continue to retain adequate authority to secure their facilities.	Moderate
Lead Testing Requirements – Engage in policy discussions related to expanding lead testing requirements to other facilities beyond K-12 schools in order to protect IRWD’s interests.	Moderate
Political Reform Act/FPPC Issues – Monitor for changes to the Political Reform Act and FPPC regulations that could impact IRWD.	Moderate
Public Agency Liability and Public Contracting – Oppose efforts to impose greater liability on public agencies for work performed by its contractors. Oppose proposals that make public contracting for labor, service or public works projects more cumbersome including reductions in contract retentions or changing the criteria agencies may consider when awarding contracts.	Moderate
Recycled Water – Promote the expanded use of recycled water, and its acceptance as a resource, by advocating for the removal of hindrances to recycled water projects and storage. Seek to: <ul style="list-style-type: none"> • Remove recycled water as a waste, including addressing recycled water discharge requirements. • Update Titles 17 and 22, including relief of dual-plumbed inspection/testing requirements. • Promote a “Fit for Purpose” regulatory approach for recycled water. • Promote the development of needed potable water reuse regulations. • Eliminate operational constraints on recycled water operations and use, including unintended impacts created by the Enclosed Bays and Estuaries Policy. 	Moderate
Wildfire Prevention and Liability – Seek to ensure that proposals related to wildfire prevention and liability consider the unintended impacts on water and wastewater providers (e.g. the impacts of mandatory electric service shutoffs during high wind events).	Moderate
Zero Carbon Energy – Advocate for the inclusion of hydropower, bioenergy derived from biosolids, and other categories of energy generation invested in by the water and wastewater sectors in the types of energy generation that is defined as zero carbon for California’s Zero Carbon goal.	Moderate
Biosolids – Seek a broader spectrum of permissible use of biosolids processing byproducts including a possible fertilizer designation. Reduce restrictions surrounding biosolids processing and seek “feed-in-tariff” rules of benefit to biosolids bioenergy projects.	Low
CEQA Reform – Seek reforms to CEQA that are beneficial to IRWD.	Low
Energy – Advocate for policies that encourage energy reliability in Orange County, and energy efficiency or reductions in embedded energy in the water and wastewater sectors, including allocation of Cap-and-Trade revenues to the water and wastewater industries, use of energy	Low

DRAFT Expected 2019 Legislative/Regulatory Issues	Proposed Allocation of IRWD Resources
conservation funding within the water sector, and expanded availability of direct access programs, without an increase in cost to or mandates on local entities; seek incentives for energy self-reliance projects (i.e. storage, generation, efficiency).	
Grant Reporting – Seek changes in state grant reporting requirements to ease the burden of grant recipients while maintaining transparency.	Low
Groundwater Clean-up – Support efforts to obtain State funding to clean up groundwater contamination in the Orange County Basin, and funding for basin replenishment.	Low
Integrated Regional Water Management Program – Seek changes to the IRWMP allocation process that benefits IRWD. Oppose program changes that expand funding eligibility to projects that do not further water supply reliability.	Low
Limitations on Ocean Discharges – Engage productively in discussions surrounding proposals to eliminate ocean discharges to protect the District’s interests. Support efforts to promote funding of treatment process upgrades that improve water quality and reuse options.	Low <i>*Staff proposes, if a significant threat is raised with regard to a prohibition, that the resource allocation be changed to Very High.</i>
Operators Certifications – Address inconsistent certification processes for operator certifications (treatment, distribution, and recycling). Monitor for changes in certification requirements.	Low
Potable Reuse – Advocate for the expansion of potable reuse in California and support a science-based and fit-for-purpose regulatory approach to the various types of potable reuse considered in the California Water Code Section 13561.	Low
Public Records Act – Monitor proposed changes to the Public Records Act that could impact IRWD costs including new requirements for local agency websites, data production and reporting.	Low
Real Estate Investments – Engage on regulatory or legislative proposals that may impact IRWD’s ability to maintain a high return of investment on its real estate investments.	Low <i>*Staff proposes, if a significant threat is raised against IRWD’s ability to obtain its desired ROI, that the resource allocation be changed to Very High.</i>
Revenues – Protect IRWD’s revenue sources, and seek measures to ensure reliability in revenues.	Low <i>*Staff proposes, if a significant threat is raised against IRWD’s revenue sources, that the</i>

DRAFT Expected 2019 Legislative/Regulatory Issues	Proposed Allocation of IRWD Resources
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	<i>resource allocation be changed to Very High.</i>
Water Transfers and Markets – Engage in discussion on additional legislation related to establishing a water market in California.	Low <i>*Staff proposes, if a significant opportunity is presents itself, that the resource allocation be changed to Very High.</i>
REGIONAL ISSUES	
Santa Ana and San Diego Regional Water Quality Control Boards – Develop a closer working relationship with Regional Board staff. Work with the Board on issues of concern to IRWD including: <ul style="list-style-type: none"> Adjusting storm-induced overflow protections and expand the use of recycled water in decorative lakes. 	Very High
Santa Ana River Watershed IRWMP - Advocate for Orange County to receive its fair share of Santa Ana River Watershed IRWMP funding or, if that is not guaranteed, advocate that Orange County become its own IRWMP region.	Moderate
South Coast Air Quality Control Board – Work with SCAQMD to identify regulatory changes that will positively impact air quality while improving IRWD’s ability to respond to emergencies and operate its water and wastewater systems. Discussion may include: <ul style="list-style-type: none"> Seeking a change to public fleet/truck alternative fuel rules to ensure that emergency response is not adversely affected; Seeking permit exemption for diesel generators and motors greater than 50 hp; Seeking exemption from other restrictions imposed by AQMD that hamper IRWD’s operations and emergency response capabilities; Seeking less restrictive engine regulations; Seeking an exemption from the flaring rules for wastewater treatment facilities; and Seeking to limit expansions of Title V requirements. 	Moderate

December 4, 2018

Prepared and

submitted by: C. Compton

Approved by: Paul A. Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

REQUEST FROM YORBA LINDA WATER DISTRICT FOR SPECIAL DISTRICTS TO CALL FOR AN ORANGE COUNTY SPECIAL DISTRICTS SELECTION COMMITTEE MEETING TO CONSIDER A CHANGE IN THE OC LAFCO FUNDING FORMULA

SUMMARY:

Pursuant to the Cortese Knox Hertzberg Reorganization Act (Cortese Knox Hertzberg), the Orange County Local Agency Formation Commission (OC LAFCO) is funded in equal thirds by the County of Orange, Orange County cities, and Orange County independent special districts. Since 2001, the Orange County special district's share of OC LAFCO's budget has been apportioned to each independent special district through a tiered formula approved by Orange County's special districts in 2001.

Over the last year, the Yorba Linda Water District (YLWD) has expressed concern over the current formula used to determine the share of OC LAFCO's budget that is to be paid by each Orange County special district. YLWD's concern is that the current funding formula requires it to pay more than it would otherwise be required to pay under Cortese Knox Hertzberg. YLWD's concerns and options for updating the current funding formula have been discussed at the Independent Special Districts Committee (ISDOC) over the past 12 months.

YLWD is now requesting that the Orange County Special District Selection Committee undo the 2001 funding formula and return to the statutory default contained in Cortese Knox Hertzberg. To do this, YLWD has written to each Orange County special district requesting that each special district adopt a resolution calling for a meeting of the Orange County Special District Selection Committee. If Orange County special districts representing at least ten percent of the assessed property value within the county pass the resolution, a meeting of the Orange County Special District Selection Committee will be held to consider if the 2001 funding formula should be undone and the statutory default reapplied.

Staff recommends that the Committee take no action on YLWD's request at this time, but instead authorize staff to continue to monitor and engage, when appropriate, in discussions regarding an update to the OC LAFOC special districts funding formula.

BACKGROUND:

The Cortese-Knox Herzberg Reorganization Act governs local agency formation commissions, and of importance to the concerns raised by YLWD states that "In counties in which there is city and independent special district representation on the commission, the county, cities, and independent special districts shall each provide a one-third share of the commissions' operational costs." (Government Code §56381(b)(1)(C)) Among independent special districts, the one-third share of operational costs are to be "apportioned in proportion to each district's total revenues as a percentage of combined total district revenues within a county" unless an alternative method has been approved "by a majority of districts, representing a majority of the combined

populations. In no event shall an individual district's apportionment exceed the amount that would be calculated" pursuant to the statute or in excess of 50 percent of the total special district funding share without its consent. (Government Code §56381(b)(1)(E))

Current OC LAFCO Special Districts Funding Formula:

In 2001, Orange County special districts, on a vote of 13-11-2 representing a majority of the combined population of the districts within the county, approved an alternative method for apportioning the special district share of the OC LAFCO funding. The alternative method adopted recognized the need for all special districts to contributed, and recognized the difference in the ability of enterprise and non-enterprise special district to pay for OC LAFOC costs.

The alternative method allocated the special district's share of OC LAFCO costs as follows:

Category	Special District Operating Revenues	Annual Contribution by District
<i>Non-Enterprise Districts</i>		
N-E-1	<\$50,000	\$250
N-E-2	\$50,000-\$500,000	\$500
N-E-3	\$500,001-\$1 million	\$1,000
N-E-4	\$1 million +	\$2,000
<i>Enterprise Districts</i>		
		<i>Each Category's % of Remaining Special District Share</i>
A	Less than \$1 million	5.1%
B	\$1 million - \$5 million	18.5%
C	\$5 million- \$10 million	11.2%
D	\$10 million - \$25 million	15.2%
E	\$25 million +	50%

Since 2001, as enterprise special district revenues have risen, special districts which were originally in lower revenue tiers have moved to higher tiers causing their share of the OC LAFCO expenses to change over time.

Request from Yorba Linda Water District:

YLWD has expressed concern that Category E districts have grown in revenue without an increase in their LAFCO cost share whereas revenue Categories B-E have had their cost share increase as their revenue increases. YLWD's concerns are fully outlined in its letter to Orange County special districts, which is attached as Exhibit "A".

YLWD first raised its concerns within ISDOC. Now, YLWD is requesting that the Orange County Special District Selection Committee undo the 2001 funding formula and return to the statutory default contained in Cortese Knox Hertzberg. To accomplish this, YLWD is requesting that each special district adopt a resolution calling for a meeting of the Orange County Special District Selection Committee. If Orange County special districts representing at least ten percent of the assessed property value within the county pass the resolution, a meeting of the Orange County Special District Selection Committee will be held to consider if the 2001 funding formula should be undone and the statutory default reapplied.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Committee take no action on Yorba Linda Water District's request at this time, but authorize staff to continue to monitor and engage, when appropriate, in discussions regarding an update to the OC LAFOC special districts funding formula.

LIST OF EXHIBITS:

Exhibit "A" – Letter from YLWD Received by IRWD

URGENT request on revising LAFCO dues

Date: 11/28/2018 8:34 AM
Subject: URGENT request on revising LAFCO dues

Attachments: 2018-11-15 - Correspondence - OC LAFCO - REV3.pdf; Bonkowski, Leslie.vcf

>>>

From: Al Nederhood <anederhood@ylwd.com>
To: "steve@kinginsuranceca.com" <steve@kinginsuranceca.com>, "cbd@capobay.org" <cbd@capobay.org>, "mike.scheafer.b83l@statefarm.com" <mike.scheafer.b83l@statefarm.com>, "ddavert@eocwd.com" <ddavert@eocwd.com>, "district@etwd.com" <district@etwd.com>, "boardmail@irwd.com" <boardmail@irwd.com>, "jima@mesawater.com" <jima@mesawater.com>, "charliemcsd@gmail.com" <charliemcsd@gmail.com>, "boardofdirectors@mnwd.com" <boardofdirectors@mnwd.com>, "brbarbre@mwdoc.com" <brbarbre@mwdoc.com>, "cemery@oclafco.org" <cemery@oclafco.org>, "k.rivers@orccd.com" <k.rivers@orccd.com>, "gcarline@placentialibrary.org" <gcarline@placentialibrary.org>, "rcsd@rossmoor-csd.org" <rcsd@rossmoor-csd.org>, "sewerdistrict@aol.com" <sewerdistrict@aol.com>, "justinm@smwd.com" <justinm@smwd.com>, "info@serranowater.org" <info@serranowater.org>, "tarasaraye@smrpd.org" <tarasaraye@smrpd.org>, "bgreen@director.scwd.org" <bgreen@director.scwd.org>, "info@sunsetbeachsd.org" <info@sunsetbeachsd.org>, "gacosta@tcwd.ca.gov" <gacosta@tcwd.ca.gov>, "info@surfsidecds.org" <info@surfsidecds.org>, "lkring@anaheim.net" <lkring@anaheim.net>, "dbilodeau@ocwd.com" <dbilodeau@ocwd.com>
CC: "jamesf@meswater.org" <jamesf@meswater.org>, "cemery@oclafco.org" <cemery@oclafco.org>
Date: 11/19/2018 3:20 PM
Subject: URGENT request on revising LAFCO dues

Dear Special District Presidents:

Today the included attachment was sent to Jim Fisler, President of ISDOC and presumed Chair of the Special Districts Selection Committee and Carolyn Emery, Executive Director of LAFCO. I'm taking this action after failing to achieve a LAFCO dues revision after working with ISDOC for the last 18 months.

Please read the attachment which lays out the URGENT case to call to order the Special Districts Selection Committee to address the seriously misallocated LAFCO dues charged to OC Special Districts.

In 2001 ISDOC created a special chart (see attachment Chart A) to divide up the dues to support LAFCO. As time has passed, these dues have become egregiously unfair to all but the 5 largest Districts which are now paying less in dues today than in 2001 (see attachment Chart C). In the case of Yorba Linda Water District, it is my estimate that over the last 10 - 15 years, YLWD has paid over \$100,000 in excess dues due to this dated and unfair formula.

Your District is likely to have seen an similarly unfair dues bill. Please see Chart D for the difference between revenue based dues and those currently being charged your District. Take this number and multiply by 10 (10 years) to get a ball park figure of your dues over-payment.

It is my goal to update the LAFCO dues distribution based on revenue so that they match the preferred direction provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act. See Chart D to see what your District's dues would be if they were based on revenue rather than on the system created in 2001. Once this approach is approved, yearly LAFCO dues would automatically be adjusted up or down based on the last reported revenues. If the revenue based dues approach is approved by the Special District Selection Committee, the LAFCO dues should never need to be revisited.

In order for the Special District Selection Committee to be called to vote on this topic, the Special Districts that represent at least 10% of the assessed property value in Orange County must call for convening this Committee.

Therefore, I would ask that each of your District Boards immediately pass a resolution to support the YLWD call to correct this long overdue situation and forward that resolution to Jim Fisler and Carolyn Emery. Their emails are included on the "CC" line above.

Here's a sample resolution:

The Board of Directors for _____ (fill in your District's name) has voted to support the YLWD call for the convening of the Special District Selection Committee (which is made up of each Board President) in order to update the dues structure paid by the Special Districts to LAFCO.

It is our preference that this Committee be called to order no later than January 31, 2019 so that any LAFCO dues action will be in place prior to FY 19/20 budgets.

Sincerely,

Board President Signature

I would appreciate your support and prompt action on this situation. Feel free to call me (714-261-3964?) or send an email if you have any suggestions, concerns or questions. I would be happy to appear in person before your Board to present this case and answer any questions you may have.

Thank you,

Al Nederhood
YLWD Board President

NOTE: Special Districts without an available email address have been sent a hard copy of the attachment.



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November 19, 2018

Hon. Jim Fisler, President
Orange County Special Districts Selection Committee
C/O MWDOC
PO Box 20895
Fountain Valley CA 92708

RE: Special District Dues for OC LAFCO Operational Costs

DELIVERY VIA EMAIL AND US MAIL
jamesf@meswater.org

Dear President. Fisler:

The Yorba Linda Water District ("YLWD") Board of Directors took action and approved the following statement and call for a vote by the Orange County Special Districts Selection Committee ("Selection Committee") to correct the disproportionate apportionment of OC LAFCO operational costs described below.

This letter is official notification to OC LAFCO that YLWD is rejecting the dues structure that ISDOC adopted in 2001 and which has disproportionately apportioned OC LAFCO's operational costs for the majority of the years since then. In addition, YLWD is calling for a vote by the Selection Committee to realign the dues structure to conform to the Cortese-Knox-Hertzberg Local Government Reorganization Act ("Reorganization Act"). Specifically, to use the recommended method in the Reorganization Act, which is to apportion OC LAFCO's operational costs in proportion to each special district's total revenues as a percentage of the combined total district revenues within Orange County.

As a result of the change in revenues over the last 17 years and the "bracket creep", YLWD is paying over \$10,000 in excess dues this year and has been doing so for many of the preceding years. ***This 'dues overpayment' status applies to at least 22 special districts in Orange County.*** The term "excess" is used as a comparison to the dues structure recommended by the Reorganization Act, that is, LAFCO dues are to be based on prorata revenues as described above *unless specifically authorized otherwise*. See Section 56381 of the Reorganization Act and the following sub-paragraphs, most specifically paragraph (E) quoted here.



Yorba Linda Water District

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J. Fisler
November 19, 2018
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(E) Notwithstanding the requirements of subparagraph (C), the independent special districts' share may be apportioned by an alternative method approved by a majority of the districts, representing a majority of the combined populations. ***However, in no event shall an individual district's apportionment exceed the amount that would be calculated pursuant to subparagraphs (C) and (D), or in excess of 50 percent of the total independent special districts' share, without the consent of that district.*** (emphasis added)

I. ISDOC's Original 2001 Alternative Method to Apportion OC LAFCO's Operational Costs

In 2001, under the guidance of ISDOC, the Special Districts in Orange County voted 13-11, with 2 districts abstaining, to create an alternative dues structure based on revenue groupings depicted here in **Chart A**.

Category	No. of Districts	% by Each District	Percent by Category
A	3	1.70	5.1
B	5	3.7	18.5
C	2	5.6	11.2
D	2	7.6	15.2
E	5	10	50
Total	18	--	100

Chart A: Special District
Revenue Groups LAFCO Dues

The revenue groups above resulted in the following dues being assigned to each special district as depicted in **Chart B**. This alternative method (Chart A) has remained the same since 2001, which is the source of the disproportionate apportionment of OC LAFCO operational costs that is described below.



Yorba Linda Water District

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Recommendation on LAFCO funding
March 2, 2001
Page 3

Chart B: Special District
LAFCO Dues in 2001

District	Operating Revenue (1)	Category	2001-02 LAFCO Cost
Surfside Colony Stormwater		N-E 1	\$250
Surfside Colony CSD	\$3,691	N-E 1	\$250
Capistrano Bay CSD	\$398,634	N-E 2	\$500
Rossmoor CSD	\$453,974	N-E 2	\$500
Silverado-Modjeska Rec. & Park	\$105,313	N-E 2	\$500
Three Arch Bay CSD	\$841,311	N-E 3	\$1,000
Placentia Library	\$955,863	N-E 3	\$1,000
Buena Park Library	\$1,379,823	N-E 4	\$2,000
Rossmoor/Los Alamitos Sewer	\$146,672	A	\$5,145
Emerald Bay CSD	\$519,880	A	\$5,145
Santiago County Water	\$470,430	A	\$5,145
Sunset Beach Sanitary	\$303,201	A	\$5,145
East Orange County Water	\$3,043,085	B	\$10,584
Costa Mesa Sanitary	\$4,542,974	B	\$10,584
Midway City Sanitary	\$3,302,224	B	\$10,584
Serrano Water	\$2,251,743	B	\$10,584
Trabuco Canyon Water & Sewer	\$4,350,782	B	\$10,584
South Coast Water & Sewer	\$6,700,387	C	\$16,170
Yorba Linda Water & Sewer	\$9,644,048	C	\$16,170
El Toro Water & Sewer	\$13,925,118	D	\$22,050
Mesa Consolidated Water	\$16,292,287	D	\$22,050
Irvine Ranch Water & Sewer	\$32,717,000	E	\$28,812
Moulton Niguel Water & Sewer	\$30,517,149	E	\$28,812
MWDOC Water	\$81,108,316	E	\$28,812
OCWD Water	\$32,109,215	E	\$28,812
Santa Margarita Water & Sewer	\$32,697,525	E	\$28,812
Total			\$300,000

II. Under ISDOC's 2001 Alternative Method, Individual Districts (Including YLWD) Are Bearing a Disproportionate Apportionment of OC LAFCO's Operational Costs

As a result of increases in district revenues since 2001, and the corresponding upward movement to a higher alphabetical category as mandated by the 2001 ISDOC dues structure, special districts were moved into higher revenue categories with a concomitant increase in dues. The class of enterprise districts that are bearing this

J. Fisler
 November 19, 2018
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disproportionate apportionment are all districts who were originally categorized in categories A-D, not E, by ISDOC in 2001. As a result of this dues structure, **the five largest revenue districts in Orange County are now paying less** dues than they were in 2001, and have been doing so for many years. See **Chart C** here.

Water District	2001 Dues	2017/18 Dues
Irvine Ranch Water & Sewer	\$28,812	\$26,418
Moulton Niguel Water & Sewer	\$28,812	\$26,418
MWDOC Water	\$28,812	\$26,418
OCWD Water	\$28,812	\$26,418
Santa Margarita Water & Sewer	\$28,812	\$26,418

Chart C:
 5 largest revenue
 districts 2001 vs.
 18

In 2001, it made sense for ISDOC's alternative method to cap the top-tier revenue at \$25 million+ since the largest revenue district in 2001 was \$32 million. However, such a cap caused the top-tier revenue districts in 2001 (category E) to **stay** in that tier and experience a 6% *decrease* in their dues even though the highest revenue district (as of 2016) jumped from \$32 million to \$194 million (i.e. *600% increase*).

In contrast, the lower-tier revenue districts in 2001 (categories A-D), which have since **moved up** to a higher tier in order to keep pace with their increased revenue, are now paying between 124% and 196% more than their initial 2001 dues. YLWD dues have increased 169% since 2001. This disproportionate apportionment that has developed since 2001 between the original 2001 top-tier districts and the original lower-tier districts contradicts the legislative intent of Section 56381.

Instead of using ISDOC's erroneous 2001 alternative method, YLWD urges the Selection Committee to adopt the revenue-based method recommended in Section 56381(b)(1)(C) of the Reorganization Act. This statutorily authorized method will proportionately apportion OC LAFCO operational costs among the Special District as follows (Districts with increased dues are **bolded**):

Chart D: LAFCO Special District Dues using Revenue (see Highlighted Column)					
#	District	Revenue 2015	% of Total Revenue	LAFCO Dues Prorata Revenue Basis	Current Dues FY 17/18
1	Surfside Colony	\$491,664	0.06%	250	500
2	Surfside Colony CSD	\$185,054	0.02%	250	500



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#	District	Revenue 2015	% of Total Revenue	LAFCO Dues Prorata Revenue Basis	Current Dues FY 17/18
3	Silverado-Modjeska Rec &	\$201,031	0.03%	250	500
4	Rossmoor/Los Alamitos	\$431,534	0.06%	250	500
5	Capistrano Bay CSD	\$1,105,685	0.14%	490	2,000
6	Rossmoor CSD	\$1,389,855	0.18%	616	2,000
7	Three Arch Bay CSD	\$1,709,027	0.22%	757	2,000
8	Placentia Library	\$2,492,734	0.32%	1104	2,000
9	Buena Park Library	\$3,121,423	0.40%	1383	2,000
10	Orange County Vector	\$11,811,004	1.52%	5232	2,000
11	Orange County Cemetery	\$5,795,152	0.75%	2567	2,000
	Total Non-enterprise			13,148	16,000
12	Sunset Beach Sanitary	\$1,072,696	0.14%	477	9,774
13	Emerald Bay CSD	\$1,577,508	0.20%	701	9,774
14	Serrano Irrigation	\$5,806,650	0.75%	2,580	14,794
15	East Orange Co. Water	\$7,936,964	1.02%	3,527	14,794
16	Trabuco Canyon Water D	\$6,909,424	0.89%	3,070	20,078
17	Midway City Sanitary	\$10,722,856	1.38%	4,765	20,078
18	Costa Mesa Sanitary D	\$11,073,424	1.43%	4,921	20,078
19	El Toro Water & Sewer	\$15,497,530	2.00%	6,886	20,078
20	Mesa Consolidated Water	\$33,854,175	4.37%	15,043	20,078
21	Yorba Linda Water	\$30,139,236	3.89%	13,393	20,078
22	Irvine Ranch Water &	\$111,815,000	14.43%	49,686	20,078
23	Moulton Niguel Water &	\$67,939,740	8.77%	30,189	20,078
24	MWDOC Water	\$210,635,344	27.19%	93,597	20,078
25	OCWD Water	\$132,429,385	17.09%	58,846	20,078
26	Santa Margarita Water &	\$78,647,357	10.15%	34,947	20,078
27	South Coast Water	\$19,889,425	2.57%	8,838	20,078
	Total Enterprise Districts			\$331,466	\$340,799
	All Districts	\$774,680,877		\$344,614	

NOTE: The revenue figures cited above are from the State Controllers web page as directed by the Reorganization Act.



Yorba Linda Water District

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November 19, 2018
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III. Request for a Meeting and Vote to Adopt a New OC LAFCO Dues Structure

The YLWD Board of Directors believes that the OC LAFCO dues structure as applied for the last 17 years is not compliant with either the spirit of the Reorganization Act as it existed in 2001 or the Reorganization Act itself since it was amended in 2002. Specifically, the above disproportionate apportionment between the original top-tier districts and the lower-tier districts contradicts the legislative intent of Section 56381 and the "consent" requirement that was added to Section 56381 in 2002.

Therefore, YLWD requests the Selection Committee schedule a meeting and vote no later than February 1, 2019 to adopt a new OC LAFCO dues structure. A delay in voting will negatively impact the budgeting for OC LAFCO and the Special Districts for 2019/20

Sincerely,

Al Nederhood
YLWD Board President

CC: Carolyn Emery, OC LAFCO and Special Districts Selection Committee, Executive Director

December 4, 2018

Prepared by: M. Tettemer

Submitted by: P. Weghorst

Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

ADOPTION OF THE 2018 SOUTH ORANGE COUNTY INTEGRATED REGIONAL WATER MANAGEMENT PLAN

SUMMARY:

In 2010, Irvine Ranch Water District became a member of the Executive Committee for the South Orange County Watershed Management Area (SOCWMA) and adopted the 2005 South Orange County Integrated Regional Water Management Plan (IRWMP). The IRWD Board passed a resolution in 2013 adopting an update to the IRWMP that complied with Proposition 84 guidelines. In 2018, the County of Orange, with input from the SOCWMA Executive Committee member agencies and stakeholders, updated the IRWMP to comply with Proposition 1 guidelines. As a result of this update, the County of Orange is asking each member agency to adopt the updated IRWMP. Staff recommends that the Board adopt a resolution adopting the 2018 update to the IRWMP for the South Orange County Watershed Management Area.

BACKGROUND:

In June 2005, the IRWMP for the SOCWMA was adopted, accepted and/or supported by the City Councils and Boards of all agencies participating in the process. In 2010, the County of Orange led an effort to create a cooperative entity similar to the Newport Bay Watershed Executive Committee. This south Orange County cooperative, called the SOCWMA Executive Committee, now has 22 public member agencies including the County of Orange, 11 cities and 10 water agencies. IRWD joined this new group in 2010, and adopted the 2005 version of the IRWMP.

California voters passed Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act in November 2006, which required that Integrated Regional Water Management Plans be updated to comply with new guidelines to be eligible for Proposition 84 grant funding. The IRWMP was updated in 2013 to comply with Proposition 84 Plan Standards issued by the California Department of Water Resources (DWR). The 2013 IRWMP was adopted July 18, 2013, by unanimous vote of the SOCWMA Executive Committee. IRWD adopted the updated IRWMP on August 26, 2013. Under the 2013 IRWMP, IRWD received a \$500,000 grant from Proposition 84 to help fund the Baker Water Treatment Plant.

Proposition 1 passed in November 2014 and is known as the Water Quality, Supply and Infrastructure Improvement Act of 2014 and similarly requires that IRWMPs be updated to be eligible for Proposition 1 grant funding. Over the past year, numerous meetings and workshops were held which focused on updating the plan to make it more current and to meet DWR standards. These updates included describing a new data management system, adding a Stormwater Resource Plan, updating the Climate Change analysis to meet new standards, describing the water needs assessment process and providing technical revisions to the Salt and Nutrient Management Plan.

At its May 3, 2018 meeting, the SOCWMA Executive Committee voted to adopt the 2018 IRWMP after a member agency and stakeholder update process, which included several meetings and

workshops. In accordance with Proposition 1 Guidelines and Plan Standards, agencies that will receive grant funding must also adopt the 2018 IRWM Plan. Following approval and adoption of the 2018 IRWM Plan, County staff will work with member agencies and stakeholders to develop a slate of projects for submittal to DWR for Proposition 1 IRWM grant funding. The County, on behalf of the SOCWMA, recently released a call for projects.

Staff recommends the Board adopt a resolution adopting the 2018 South Orange County Integrated Regional Water Management Plan. The draft resolution is attached as Exhibit “A”. Exhibit “B” is the Introduction of the 2018 South Orange County Integrated Regional Water Management Plan.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board adopt a resolution adopting the 2018 South Orange County Integrated Regional Water Management Plan.

LIST OF EXHIBITS:

Exhibit “A” – Resolution Adopting the 2018 South Orange County Integrated Regional Water Management Plan

Exhibit “B” – Introduction to the 2018 South Orange County Integrated Regional Water Management Plan

EXHIBIT “A”

Resolution 2018-_____

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT
ADOPTING THE 2018 SOUTH ORANGE COUNTY
INTEGRATED REGIONAL WATER MANAGEMENT PLAN**

Regional planning serves an important function in watersheds throughout California as regional stakeholders work to solve watershed challenges in a collaborative fashion.

In 2004, the County of Orange, cities, and water agencies formed a regional watershed management group that would later be known as the South Orange County Watershed Management Area (SOCWMA) Executive Committee, which in 2005 prepared an Integrated Regional Water Management Plan (IRWMP).

In 2010, Irvine Ranch Water District became a member of the SOCWMA Executive Committee and adopted the 2005 IRWMP.

In 2013, the SOCWMA Executive Committee adopted an updated IRWMP, which was revised to comply with Proposition 84 guidelines. Irvine Ranch Water District thereafter adopted the 2013 IRWMP.

In 2018, the SOCWMA Executive Committee adopted an updated IRWMP, which was revised to comply with Proposition 1 guidelines. These updates included describing a new data management system, adding a Stormwater Resource Plan, updating the Climate Change analysis to meet new standards, describing the water needs assessment process, and providing technical revisions to the Salt and Nutrient Management Plan. Each member agency must adopt the updated IRWMP in order for that agency to be eligible for IRWM Proposition 1 grant funding.

Irvine Ranch Water District supports the SOCWMA Executive Committee and the continual improvement of the IRWMP for the benefit of South Orange County Watershed Management Planning Area.

The Board of Directors of the Irvine Ranch Water District therefore resolves as follows:

The Irvine Ranch Water District hereby adopts the 2018 South Orange County Integrated Regional Water Management Plan as the integrated watershed plan for the area referred to by the County of Orange as the South Orange County Watershed Management Area.

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ADOPTED, SIGNED and APPROVED December 10, 2018.

President, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

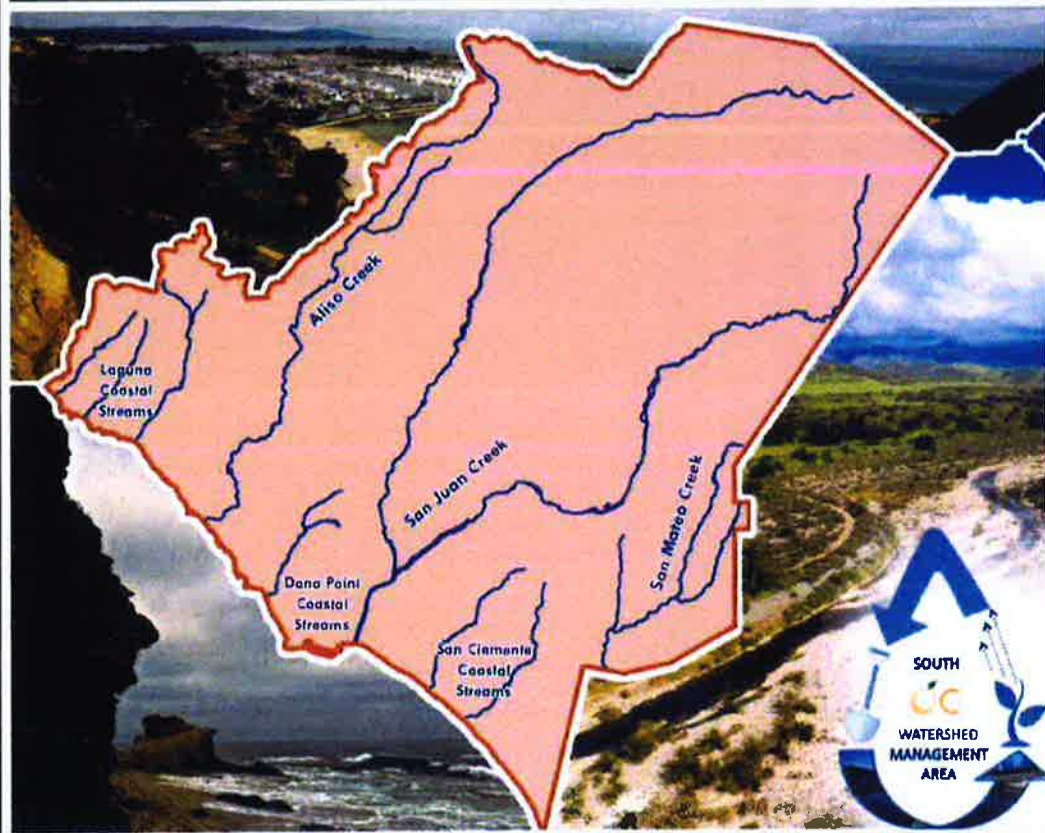
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APPROVED AS TO FORM:
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By _____
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INTEGRATED REGIONAL WATER MANAGEMENT PLAN

FOR SOUTH ORANGE COUNTY



Cover art courtesy of Orange County Water District

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LIST OF ACRONYMS

§	subsection
AB	Assembly Bill
ABBRA	American Boat Builders & Repairers Association
AFY	Acre Feet per Year
ALERT	Automatic Local Evaluation on Real Time
AMP	Allen-McColloch Pipeline
AOGCM	Atmosphere Ocean General Circulation Models
ASBS	Areas of Special Biological Significance
ATM	Aufdenkamp Transmission Main
BLRP	Bacteria Load Reduction Plans
BMP	Best Management Practice
BOS	Board of Supervisors
CARB	California Air Resources Board
CBP	Clean Beach Project
CCA	Critical Coastal Area
CDFW	California Department of Fish and Wildlife
CDP	Census Designated Place
CEC	Constituents of Emerging Concern
CEDEN	California Environmental Data Exchange Network
CEFCAC	City Engineers Flood Control Advisory Committee
CEIC	California Environmental Information Catalog
CEQA	California Environmental Quality Act
CERES	California Environmental Resources Evaluation System
cfs	Cubic Feet per Second
CIP	Capital Improvement Program
CLRP	Comprehensive Load Reduction Plan
CLWC	California Latino Water Coalition
CRA	Colorado River Aqueduct
CSRM	Constantly Stirred Reactor Model
CTP	Coastal Treatment Plan
CWA	Clean Water Act
CWC	California Water Code
CWP	California Water Plan
CWRP	Chiquita Water Reclamation Plant
CUWCC	California Urban Water Conservation Council
DAC	Disadvantaged Communities
DAMP	Drainage Area Management Plan
DMS	Data Management System
DRPP	Demand, Runoff, and Pollution Prevention
DWR	Department of Water Resources
EC	Executive Committee
EDA	Economically Distressed Areas

LIST OF ACRONYMS

EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
ET	Evapotranspiration
ETWD	El Toro Water District
FACC	Funding Area Coordination Committee
FEMA	Federal Emergency Management Agency
FEIR	Final Environmental Impact Report
FIB	Fecal Indicator Bacteria
FOG	Fats, Oil and Grease
GAC	Granular Activated Carbon
GAMA	Groundwater Ambient Monitoring and Assessment
GCM	Global Climate Model
GERA	Gobernadora Ecological Resource Area
GIS	Geographic Information System
GHG	Greenhouse Gas
GPCD	Gallons per Capita Daily
GPM	Gallons per Minute
GRF	Groundwater Recovery Facility
GSWC	Golden State Water Company
GWFMF	Groundwater and Facilities Management Plan
GWRP	Groundwater Recovery Project
HCP	Habitat Conservation Plan
HECW	High Efficiency Clothes Washer
HET	High Efficiency Toilet
HMP	Hydromodification Management Plan
HPWQC	Highest Priority Water Quality Conditions
HRMP	Habitat Reserve Management Program
HSA	Hydrologic Subarea
IRP	Integrated Water Resources Plan
IRWD	Irvine Ranch Water District
IRWM	Integrated Regional Water Management
JRTM	Joint Regional Tri-Cities Transmission Main
JRTP	Joint Regional Treatment Plant
LAWRP	Los Alisos Water Reclamation Plant
LBCWD	Laguna Beach County Water District
LHA	Latino Health Access
LIP	Local Implementation Plan
LRP	Local Resources Program
MEP	Maximum Extent Practicable
MC	Management Committee
MCL	Maximum Contaminant Level

LIST OF ACRONYMS

MGD	Million gallons per day
MHI	Median Household Income
MNWD	Moulton Niguel Water District
MOU	Memorandum of Understanding
MPA	Marine Protected Area
MS4	Municipal Separate Storm Sewer System
MSCP	Multiple Species Conservation Program
MSHCP	Multi-Species Habitat Conservation Plan
MST	Microbial Source Tracking
MTBE	Methyl Tert-Butyl Ether
MET	Metropolitan Water District of Southern California
MWDOC	Municipal Water District of Orange County
MWRP	Michelson Water Reclamation Plant
NCC	Natural Communities Coalition
NCCP	Natural Communities Conservation Plan
NCI	North Coast Interceptor
NFIP	National Flood Insurance Program
NGO	Non-Government Organization
NHEC	National Hispanic Environmental Council
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
NROC	Nature Reserve of Orange County
OCFD	Orange County Flood Control District
OCHCA	Orange County Health Care Agency
OCSD	Orange County Sanitation District
OCSF	Orange County Stormwater Program
OCTA	Orange County Transportation Authority
OCWD	Orange County Water District
OPR	Office of Planning and Research
PEA	Program Effective Assessment
POTWs	Publicly Owned Treatment Works
QA/QC	Quality Assurance/Quality Control
RAC	Regional Action Committee
RAP	Regional Action Project
RCFCWCD	Riverside County Flood Control and Water Conservation District
RCWD	Rancho California Water District
RMS	Resource Management Strategies
RMV	Rancho Mission Viejo, LLC
RO	Reverse Osmosis
ROWD	Report of Wastewater Discharge
RRWRP	Robinson Ranch Water Reclamation Plant

LIST OF ACRONYMS

RTP	Regional Treatment Plant
RWMG	Regional Watershed Management Group
RWQCB	Regional Water Quality Control Board
SAMP	Special Area Management Plan
SANDAG	San Diego Association of Governments
SARWQCB	Santa Ana Regional Water Quality Control Board
SB	Senate Bill
SBPAT	Structural BMP Prioritization and Analysis Tool
SCAG	Southern California Association of Governments
SCCWRP	Southern California Coastal Water Research Project
SCCWRRS	Southern California Comprehensive Water Reclamation and Reuse Study
SCWD	South Coast Water District
SDCWA	San Diego County Water Authority
SDGE	San Diego Gas and Electric
SDP	Seawater Desalination Program
SDRWQCB	San Diego Regional Water Quality Control Board
SEP	Supplemental Environmental Project
SERRA	South East Regional Reclamation Authority
SFHA	Special Flood Hazard Area
SIPP	Source Identification Protocol Project
SJBA	San Juan Basin Authority
SJHU	San Juan Hydrologic Unit
SJVGB	San Juan Valley Groundwater Basin
SmarTimer	Weather-Based Irrigation Controller
SMC	Stormwater Monitoring Coalition
SMWD	Santa Margarita Water District
SNMP	Salt and Nutrient Management Plan
SOCWA	South Orange County Wastewater Authority
SOCWRS	South Orange County Water Reliability Study
SWAMP	Surface Water Ambient Monitoring Program
SWRCB	State Water Resources Quality Control Board
SWRP	Stormwater Resource Plan
TAF	Thousand-Acre-Feet
TBA	Tert Butyl Alcohol
TCE	Trichloroethylene
TCWD	Trabuco Canyon Water District
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
USACE	United States Army Corps of Engineers (The Corps)
USBOR	United States Bureau of Reclamation
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service

LIST OF ACRONYMS

USGS	United States Geological Survey
UST	Underground Storage Tanks
UV	Ultraviolet
UWMP	Urban Water Management Plan
VOC	Volatile Organic Compound
WAP	Watershed Action Plan
WDL	Water Data Library
WEI	Wildermuth Environmental, Inc.
WMA	Watershed Management Area
WSL	Water Smart Landscape
WQIP	Water Quality Improvement Plan
WQMP	Water Quality Management Plan
WRCOG	Western Riverside Council of Governments
WUE	Water Use Efficiency

**SOUTH ORANGE COUNTY WATERSHED MANAGEMENT AREA
2017 INTEGRATED REGIONAL WATER MANAGEMENT PLAN
*An Integrated, Healthy and Balanced Watershed***

The South Orange County Integrated Regional Water Management (IRWM) Plan has been developed from, and coordinates with, existing plans and research documents provided by the participating agencies in a manner that identifies and integrates regional projects to improve water supply, protect water quality, enhance the environment, and provide flood risk management. This Plan establishes a priority ranking to help further regional efforts to investigate the feasibility of, and identify funding for, these projects. Individual projects, however will go through the appropriate environmental review and permitting process as funding is secured.

1 INTRODUCTION

Located along the scenic and temperate southern coast of California, South Orange County is rich with history. Legacies passed on from native societies, once expansive cattle ranches, and twentieth-century entrepreneurial farmers remain a part of the area's culture today. From the landmark Mission San Juan Capistrano near the stunning western coastline to the United States Department of Agriculture (USDA), Forest Service, Cleveland National Forest in the east, South Orange County continues to be a destination known for beauty and a high quality of life.

Following the national migration trends after World War II that drew citizens to Sunbelt cities, the region transitioned into one of the newest areas of urban development in the early 1960's. Several cities have been incorporated over the subsequent decades during which population increased to approximately 600,000 residents. Most of the coastline is developed and additional urbanization is anticipated in the backcountry ranch land over the next 20- years. Today, the region's social and cultural makeup includes a unique mix of equestrian lifestyle, authentic Mexican/Hispanic culture, and a progressive business industry.

The Juaneño Band of Mission Indians traditionally known as the Acjachemen nation is the indigenous Native American Indian tribe of the lands now known as Orange and San Diego Counties. The Acjachemen territory extended from Las Pulgas Creek in northern San Diego County, up into the San Joaquin Hills along the Orange County's central coast, and inland from the Pacific Ocean up into the Santa Ana Mountains. The bulk of the population occupied the outlets of two large creeks, San Juan Creek and San Mateo Creek. The Juaneño Band of Mission Indians is on the contact list maintained by the Native American Heritage Commission and they are included in this Plan as a South Orange County stakeholder; however, the Juaneño Band is not federally recognized, nor is the tribe land owning. They are headquartered in the City of San Juan Capistrano.

The region's economy has come into its own from the shadows of Los Angeles to the north and San Diego to the south with a unique technological and business infrastructure. This is demonstrated by the diversity of industries represented – from medical devices to construction – as well as intellectual resources to support this diversity. Stakeholders in the area are comprised of residents, businesses, and water agencies/Cities as described in **Section 2.3 Regional Water Management Responsibilities**. **Figure 1-1** on the following page shows a map of South Orange County.

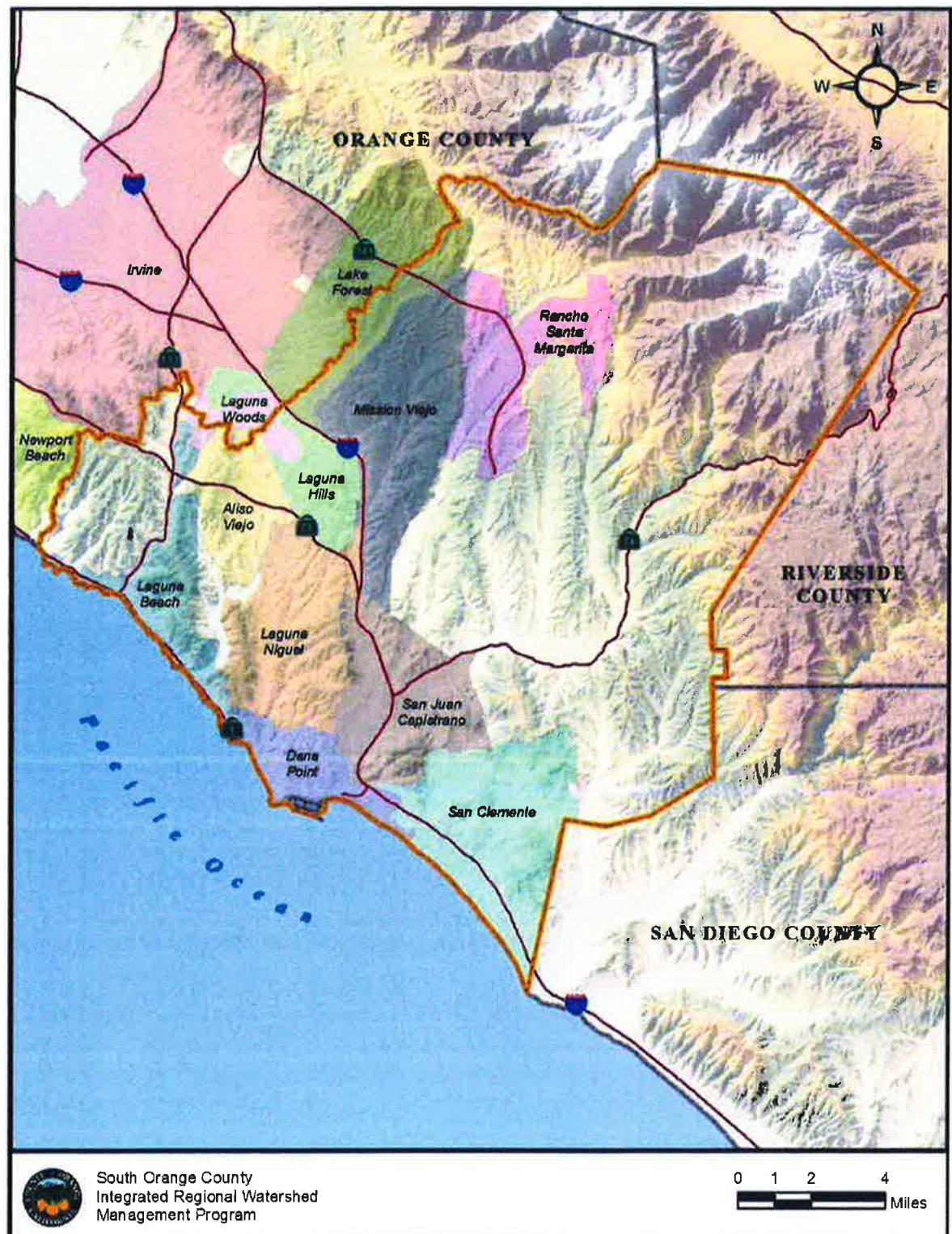


Figure 1-1: South Orange County Map

Water is the key element for sustaining the South Orange County economy, allowing the region to thrive. Significant local investments in water, sewer, and flood infrastructure have been made in the past to serve the area on a reliable basis. Planning and associated investments to carry the region through the next 25-year planning horizon are central to preserving the quality of life in South Orange County. Planning for flood management; surface runoff management; watershed management; water use efficiency (WUE); water supply and reliability; recycled water; habitat preservation, conservation and restoration; water quality protection and improvement; resource stewardship; and related water resource management strategies (RMSs) is critical. **Figure 1-2** shows the South Orange County IRWM Plan Goals, which are discussed in further detail below and in **Section 4 Objectives**.

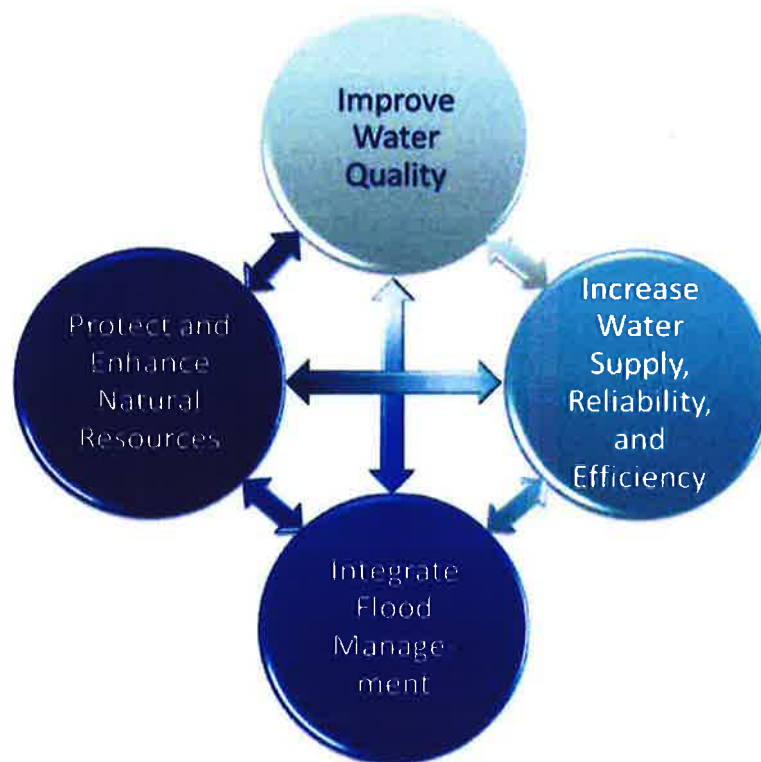


Figure 1-2: South Orange County IRWM Plan Goals

Water Resource Planning in South Orange County

Water quality improvement efforts over the last decade have resulted in significant improvements in coastal water quality along the County's beaches. The Heal the Bay Annual Report (2016) states that the County grades for year-round dry weather were excellent and wet weather grades fair, besting the five-year average for dry weather. Coastal and surface water quality remains an important component of the region's IRWM planning. Key goals for the region include reducing runoff and improving the water quality in streams and along beaches.

Another key goal of the region is expansion, protection and efficient use of local and regional water supplies, as described in **Section 4.1.2**. As a whole, South Orange County water supply is predominately from imported sources, making the region subject to outside conditions and agencies. The South Orange County IRWM Plan is aimed at diversifying water sources by developing a variety of local opportunities to decrease reliance on imported sources. For example, the local San Juan Groundwater Basin¹ has been the subject of multiple management programs for treating brackish waters and managing wet year supplies for use during dry year conditions. South Orange County agencies are leaders in implementing water recycling projects to turn wastewater into a resource. Urban water reuse projects are being developed to reduce runoff and utilize local resources. Additionally, water use efficiency projects have become a standard for water management, including Weather-Based Irrigation Controllers (SmarTimer), drip irrigation, rain barrel and landscape retrofit programs. Indeed, a clear nexus exists between projects needs for water quality and water supply. Protection of surface water quality beneficial uses can align with opportunities to enhance local supply through water reclamation, conservation, stormwater capture/treatment, and groundwater and seawater desalination.

South Orange County agencies and stakeholders place a strong emphasis on watershed planning and integration. Over the past decade, the County, cities, water and wastewater agencies and public stakeholders have participated in watershed-level studies and plans to assess and develop projects to enhance the overall health of South Orange County watersheds (Aliso Creek, Dana Point Coastal Streams, Laguna Coastal Streams, San Juan Creek, San Clemente Coastal Streams, and San Mateo Creek). Water quality efforts are described in **Sections 3.3.4, 4.3.2, 5.4.2, and 13.4**. These efforts include, but are not limited to:

- Watershed Management Plans were completed for the Aliso Creek, and San Juan Creek watersheds. These were among the first efforts to study overall watershed health and included recommendations and actions for implementation on a collective basis among the many watershed partners. Watershed Workplans² were developed and updated through 2014 for the watersheds in the San Diego Region to comply with Directive G of the San Diego Regional Water Quality Control Board's (SDRWQCB) Order (Regional Board Order No. R9-2009-0002). The Watershed Workplans described the Watershed Permittees' development and implementation of a collective watershed strategy to assess and prioritize the water quality challenges within the watershed's receiving waters, identify and model sources of the highest priority water quality problem(s), develop a watershed-wide Best Management Practices (BMP) implementation strategy to abate highest priority water quality problems, and a monitoring strategy to evaluate BMP effectiveness and changing water quality prioritization in the watershed.

¹ State Department of Water Resources California's Groundwater Bulletin 118 refers to the "San Juan Valley Groundwater Basin" for the South Coast Hydrologic Region.

² OC Watersheds, Watershed Workplans, available online 6/28/16:
<http://prg.ocpublicworks.com/DocmgmtInternet/Search.aspx>

- Comprehensive water quality analyses for South Orange County watersheds, including annual water quality analyses for Aliso Creek watershed³, a San Juan Creek Watershed Bacterial Study⁴, and the 2014 Report of Waste Discharge State of the Environment Report⁵ which provided a comprehensive watershed-based review of TMDL and NPDES compliance over several years and utilized indices of watershed health apart from water quality exceedances.
- Watershed Infiltration Hydromodification Management Plan (WIHMP) mapping tools developed in 2014-15 provided an initial GIS screening tool for infiltration BMP site suitability at a watershed and sub-watershed level; analysis considered land use, soils, slope, ownership, channel morphology and drainage⁶.
- A Water Quality Improvement Plan (WQIP) was developed by the County and South Orange County cities for all watersheds in South Orange County (the San Juan Hydrologic Unit) and submitted in April 2017 to comply with SDRWQCB Order No. R9-2013-0001 as amended by R9-2015-0001 and R9-2015-0100 (CAS0109266, also referred to as the Fifth Term MS4 NPDES Permit). The WQIP establishes water quality priorities for the watershed area based upon a comprehensive watershed-based geospatial and index-based analysis of water quality, geomorphic and hydrologic data⁷. The WQIP development process provided for extensive stakeholder and public input and review; WQIP implementation will continue to involve stakeholders.
- An Orange County Stormwater Resource Plan (OC SWRP) was produced to meet functional equivalency for SB 985 and to provide watershed-based planning for stormwater projects in Orange County. The OC SWRP aligns with the South Orange County IRWM Plan in many ways, including watershed planning, identification and prioritization of projects and establishing watershed-based priorities inclusive of water quality, water supply, natural resources and flood management. The OC SWRP has been included in the IRWM Plan as **Appendix L**. For more information about the OC SWRP, please visit the [webpage](#).

Another example of the region's progressive approach to water management is the Municipal Water District of Orange County (MWDOC) and the South Orange County water districts' ongoing commitment to water supply system reliability. MWDOC completed a new Orange County Reliability Study in December 2016. Phase 1 of the study completed in December 2015 estimated supply and system gaps between forecasted water demands and existing/planned water supplies, with water demand forecast and supply gap analysis, Orange County supply simulation modeling, and Orange County basin simulation modeling. Phase 2 of the study

³ Annual water quality assessments for [Aliso Creek](#)

⁴ [San Juan Creek Watershed Bacterial Study](#)

⁵ [2014 Report of Waste Discharge – San Diego Region State of the Environment](#)

⁶ WIHMP mapping data available at [OC Environmental Resources GIS Portal](#)

⁷ The [WQIP](#) was submitted to the SDRWQCB on April 1, 2017; the WQIP will not be in effect until receipt of SDRWQCB approval. Stakeholder and public involvement is described [here](#).

develops and evaluates illustrative portfolios of additional supply projects that could be implemented by the Metropolitan Water District of Southern California (MET) and MET member agencies, which includes all Orange County agencies. Phase 2 was completed in August 2016 and the final report completed in December 2016. The study is highly collaborative, involving over 25 meetings of a workgroup made up of managers from MWDOC, MWDOC member agencies, Orange County Water District (OCWD), and the cities of Anaheim, Fullerton, and Santa Ana.

IRWM Planning in South Orange County & Protection of Water Resources

The region embraced the IRWM Planning Act of 2002 to enhance forward planning in an even more coordinated fashion. In 2008, SBX2-1 (Perata) repealed and replaced the IRWM Planning Act and appropriated funding from two initiatives passed by voters in 2006 - Proposition 84 and Proposition 1E.

The County of Orange, cities, and water and wastewater agencies of South Orange County formed the South Orange County IRWM Group in 2004 and subsequently developed and adopted the South Orange County IRWM Plan in 2005. The IRWM Group established the South Orange County IRWM region as a cooperative framework for planning and implementing water management strategies in the region.

The South Orange County IRWM Group was recognized as a region during the Proposition 50 IRWM Program Implementation Grant effort in 2005. In 2007, the South Orange County IRWM Region was awarded Proposition 50 funding. Subsequently in 2009 the South Orange County Watershed Management Area (WMA) was recognized as a region during Department of Water Resources (DWR) Regional Acceptance Process.

The South Orange County IRWM Group embraces the IRWM model because it brings together short term and long term management strategies that will protect and enhance water resources in the WMA. The South Orange County agencies maintain the belief that water management strategies can, and should be, integrated to provide a reliable water supply, protect and improve water quality, and achieve other objectives.

The IRWM Plan is designed to help local agencies and governments manage their water, wastewater, and ecological resources. The purpose of the IRWM Group in developing this Plan is to identify potential projects intended to improve water quality and supply in order to investigate their feasibility, engage in long range water planning, establish priorities among the proposals of the member entities and obtain potential funding. As the IRWM Plan is implemented, the County, as agent of the State of California, will serve as a conduit for funding to the individual agencies proposing the projects. This IRWM Plan does not commit any resources to implementation of any project nor does its creation constitute a commitment by the County or any member entity to carry out any of the proposed projects. Determinations to proceed with individual projects and required environmental review under the California Environmental Quality Act (CEQA) will be performed by the individual agencies prior to approval of funding.

Agencies within the coastal zone of South Orange County face unique environmental challenges relative to inland areas, including the protection of millions of visitors who utilize the ocean for recreation each year, as well as protection of the unique marine resources from polluted runoff. This IRWM Plan includes strategies to comply with the Porter-Cologne Act and Clean Water Act (CWA), and protect beneficial uses of receiving waters to improve water quality of the coastline. Within the South Orange County WMA, the County coastline includes one Area of Special Biological Significance (ASBS) and Heisler Park Ecological Reserve. In addition, there are three locations within the South Orange County WMA that are on the California's Critical Coastal Areas (CCA) list – San Juan Creek, Aliso Creek, and Heisler Park Ecological Reserve.

This IRWM Plan supports the state priorities that relate to the California Water Plan (CWP) Update 2013, the Delta Stewardship Council, the DWR Water Recycling Task Force Recommendations, the State Water Resources Control Board (SWRCB) Recycled Water Policy, Governor Schwarzenegger's 20x2020 Water Conservation Plan of 2010, Greenhouse Gas (GHG) emissions reduction goals of AB 32, the Water Desalination Task Force Recommendations, the California Ocean Plan, the California Watershed Action Plan, the TMDL List, the comprehensive Orange County Drainage Area Management Plan (DAMP) and subsequent Reports of Wastewater Discharge (ROWD), and the Regional Water Boards Watershed Management Initiative Chapters.

The 2018 IRWM Plan update further addresses updated Climate Change Standards, CEQA Tribal Consultation changes, amendments to the IRWM Planning Act related to IRWMs with nitrate, arsenic, perchlorate, or hexavalent chromium contamination (AB 1249), incorporation of the Orange County Stormwater Resource Plan (OC SWRP) per SB 985, and amended standards for determining Economically Distressed Areas (EDAs). The Plan considers IRWM planning concepts and aforementioned State standards/legislation through the integration of projects and programs that incorporate a wide range of water management strategies. Beneficial effects from implementation of proposed projects and programs will contribute to the goals and objectives of the local, regional and statewide priorities.

In addition to State Standards and goals, this IRWM Plan incorporates the 2016 South Orange County WMA regional priorities developed by the Executive Committee through an extensive strategic visioning process to: 1) Develop sustainable water supplies, 2) Cultivate storage for potable and recycled water, and stormwater/low flow capture, and 3) Foster regional projects to maximize water resources. These regional priorities support the Region's IRWM Plan Goals by closely aligning with the Statewide Priorities discussed in **Section 4.1.1** and the RMS discussed in **Section 5**. IRWM Plan Objectives discussed in **Section 4** also support these priorities. As the strategic visioning process was intended to capture priorities based upon known current conditions, the priorities will be updated as needs shift within WMA.